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CIA CAREER COUNCIL

26th Meeting

Thursday, 17 May 1956

Room 154, Administration Building

Present

Harrison G. Reynolds  
D/Pers, Chairman

Matthew Baird  
DTR, Member

[REDACTED]  
COP-DD/P, Alternate for DD/P, Member

25X1A9a

Lyman B. Kirkpatrick  
IG, Member

H. Gates Lloyd  
ADD/S, Alternate for DD/S, Member

FOIAb3b

[REDACTED]  
D/CO, Member

25X1A9a

[REDACTED]  
A/DDI/AD, Alternate for DD/I, Member

[REDACTED]  
Executive Secretary

25X1A9a

[REDACTED]  
Reporter

25X1A9a

Guest

[REDACTED]  
ExO/P, Office of Personnel

25X1A9a

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NO CHANGES. ☐ TS *SC*  
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. . . . The 26th meeting of the CIA Career Council convened at 4:00 p.m., Thursday, 17 May 1956, in Room 154, Administration Building, with Mr. Harrison G. Reynolds presiding . . . .

MR. REYNOLDS: The meeting will please come to order.

You have before you the minutes for the last two meetings [ 24th and 25th meetings ].

MR. KIRKPATRICK: I move they be approved as submitted.

. . . This motion was then seconded and passed . . .

MR. KIRKPATRICK: I'd like to raise an item right here.

I have here several copies of Senate Bill 3851, introduced by Mr. Russell and Mr. Saltonstall, which was read twice and referred to the Committee on Armed Services - a bill to amend the Central Intelligence Act of 1949, as amended, and for other purposes.

This is the first piece of personnel legislation we have had in Congress for seven years. The odds are fairly good that it is going to pass, according to Russell. Mr. Vincent has introduced it in the House, and I don't think we could ask for better sponsors than Russell in the Senate and Vincent in the House. I think it needs a little internal advertising, because even if it doesn't pass I think the people in the Agency ought to know we have a bill in Congress. If it fails of passage in this session it will be introduced in the next session. I think everybody here knows that the principal thing that isn't in this bill--that we wanted--is the retirement, but everything else is in it. Actually, it's a darned good bill, as now introduced, and if we get it through this year I think we have a lot to crow about. But I would strongly recommend that every device that the members of this Council have before them--staff meetings, Career Service Board meetings, and any other way of getting the word around that this bill has been introduced and there will be hearings on it before the Armed Services Committee - which will be almost perfunctory because they will simply call us up and ask why we want these things - and the paper work has been done on it, because we did it so well in this Board; as a matter of fact, my guess would be if the hearings lasted over an hour in both Houses--if they have hearings--it would be surprising, and I would guess you could predict fairly clear sailing on the floor. So I think there is a good chance now to do a little propaganda - because I think I've heard enough times that the Career Service Program isn't doing anything, and I think it's highly

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important that we start with this and get the word around that there is a lot of work being done.

25X1A9a

MR. [REDACTED] Would the Council be interested in an abstract or a precis of the Bill which has been introduced for the U. S. Information Service to set up the Career Service with retirement privileges and so on?

MR. KIRKPATRICK: Does it have anything we don't know about?

25X1A9a

MR. [REDACTED] It has things we haven't asked for.

MR. KIRKPATRICK: Aside from the fact that it's already under fire--

25X1A9a

MR. [REDACTED] I know that. I know such a bill has been introduced.

MR. KIRKPATRICK: My reaction would be no - because I think we have gone into what we want, retirement-wise and otherwise, for career legislation. Besides, I don't think the USIA bill on the career service has a chance.

MR. BAIRD: What did [REDACTED] bring up?

25X1A9a

MR. [REDACTED] That was it.

MR. BAIRD: What were the specific things they got?

25X1A9a

MR. [REDACTED] They have asked for the privilege to set up their retirement, and to set up their Career Service on a legislative basis.

MR. KIRKPATRICK: Which we don't want.

25X1A9a

MR. BAIRD: That was the point [REDACTED] made, that USIA apparently got the approval of the Bureau of the Budget for that which we had asked for and been turned down on by the Bureau of the Budget. The query was "WHY"?

MR. KIRKPATRICK: Maybe because they are pretty sure our bill will pass and pretty sure their bill won't.

MR. BAIRD: That would be a good answer if it's true.

MR. KIRKPATRICK: I'd almost put a lot of money on that, Matt. That bill will go under a lot of fire before Congress ever passes it.

MR. BAIRD: Is there going to be a lot on these territorial benefits in the hearings?

MR. KIRKPATRICK: No. That is political dynamite, Matt. We have to prove pretty substantially that we are pretty different from every other employee out there, and why.

25X1A9a

MR. [REDACTED]: What was the final resolution as to the use of the term "abroad" as opposed to "outside the continental limits"?

MR. KIRKPATRICK: I think that is what it is - "abroad."

25X1A9a

MR. [REDACTED] "Abroad" is here in the bill on page 9.

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25X1A9a

MR. [REDACTED] The Bureau of the Budget contested it after it had gone forward, I understood, because "abroad" does include the territories whereas the other terminology didn't. Remember that point? We discussed it here.

MR. KIRKPATRICK: Here on page 6 of the bill (reading):

"Where an officer or employee on leave returns to the United States or its territories or possessions . . ."

That is so inherent in statutes, you are going to have a hard job getting away from it. I think the thing we ought to point out to everybody in this is these home leave provisions, which will be a great benefit, in addition to health and education.

25X1A9a

MR. [REDACTED] This allows three extra weeks a year accrual of leave for all overseas personnel, similar to the Foreign Service - which we didn't have. It's a major advantage to overseas personnel.

MR. REYNOLDS: Any further comments in connection with this bill? If not we will start on the agenda as outlined for the day.

Prior to taking up any of these four sub-items here on the agenda, I would like to submit to the Acting DD/S a paper which was written a year ago on supervision - after the 25X1A9a case. It went forward and we were asked by General Cabell to hold it until we had further experience with Employment Review Boards. Subsequent to that, and about, I guess, a month or so ago--actually, in February--Kirk sent a paper to General Cabell, and as a result the corrections which he made in our supervision paper - which was to be signed by the Director - were okayed and they went back again to Kirk.

Will you address yourself to this Kirk, and explain it to the members here who don't know about it? I have briefly gone over the sequence of it.

MR. KIRKPATRICK: The whole point here is to get across to the supervisors the fact that the burden of responsibility falls on them for the elimination of mediocre employees. I don't know in how many cases in three and a quarter years as IG--well over a hundred, I would say--where termination actions have been initiated or actions for demotion have come up, basically speaking in 90% of the deals the supervisor was right but he had just not done the paperwork on it or taken the necessary action to go through the orderly process we have. I think it's doubly important in an Agency of this nature, where the Director does have arbitrary powers of termination, that every single action be carefully worked out. I think it's even more important here than it would be in Agriculture, because in Agriculture you go through the Civil Service and you've got all of that, but here with everybody knowing that they can be fired in the National interest, the thing to my mind that

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is most important about this, and which impinges very heavily on the four items we're going to bring up this afternoon, is if the supervisors just use the regulations to guide them they don't have any problem, because the regulations are all right, there's nothing wrong with them - to guide them. It's simply the old business, which I have lectured on many times - with the ceiling coming down BANG on top - the supervisor looks around and realizes he is surrounded by people not quite so good as the fellows he sees on the other side of the fence, so he starts - after several years - to want to take action to get rid of them. ✓

There's a second part to this, and I am probably getting ahead of the agenda here, but it fits right in here. I don't think it's generally understood in this Agency well enough what it is like to get out of this Agency. I think if a few of the supervisors who are so anxious to clean out their organizations and to start getting rid of people that have been here anywhere from three to seven or eight years were faced with the problem of finding themselves a job on leaving the Central Intelligence Agency, they would not be quite so eager to do what they're doing. We have now one office - which I won't name - in which my staff has three active cases of individuals who suddenly got the notice. In one instance the individual had been here five years and in another three, and in another seven, and they were all senior men - either 14's or 15's. They had gotten promotions throughout the period in this Agency - in one instance a branch chief and in one instance a staff man - and then suddenly, after years of apparently good service they are told they aren't up to standard. In one instance the individual was offered the opportunity of taking a two-grade drop or a 90-day notice. I don't think the case is solved yet--at the moment--but his inclination was to resign, but I think wiser voices spoke to him about the problem he is going to face outside. In a second case, we went out and recruited the individual from another Government department, and he apparently has been under the impression--at least we find nothing in the record to contravene this point--he has been under the impression for years that he had been doing a good job here - and suddenly he is told he isn't. So I think this particular thing is the most important thing we can get across. Because I don't know how many of our ex-employees I still am in fairly regular correspondence with--and the Personnel Office even more--asking for letters to prospective employers telling them that they weren't perverts or security risks but that they left the Agency for other reasons. There are probably very few other places of employment in the world that somebody could leave that would have the same connotation as leaving CIA does. ✓

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MR. REYNOLDS: This paper I handed Gates is now in shape to be published.

25X1A9a

People have signed off on it - except for you, Matt, and Von and Dick, and you,

██████████ know part of it because of past experience on these things.

But if you three have no comment to make we will proceed to publish this.

25X1A9a

MR. ██████████ May I ask this question? In view of the extreme importance of this throughout the Agency, is distribution AB the correct distribution or should this be for all employees? Because there are hundreds and hundreds of supervisors who will not see a distribution AB. ✓

MR. KIRKPATRICK: What is AB distribution?

25X1A9a

MR. ██████████ Staff or Division Chiefs down to Branch Chief level. But there are many supervisors below the branch chief level that don't see these because-- and I don't want to go into this problem now--but the distribution of these notices, with the flood of paper, etc., they just don't get around. I wonder if it might not be salutary to have this an All Employee Notice.

25X1A9a

MR. ██████████ Why not? It's nothing but being in favor of virtue and against sin.

MR. REYNOLDS: That is right. If there is no objection we will change the distribution to All Employees.

FOIAb3b

██████████ I notice it has no classification. Is that intended?

MR. KIRKPATRICK: It should be classified.

MR. REYNOLDS: It should be classified, certainly.

MR. LLOYD: It's classified SECRET on this one under the ditto.

MR. KIRKPATRICK: I think it should be "CIA Internal Use Only."

MR. BAIRD: Yes, make it as low as possible.

25X1A9a

MR. ██████████ CIA Internal Use Only? That is meaningless to me. Maybe it does have some significance. How about "Confidential"?

MR. BAIRD: There isn't anything that is classified in here.

25X1A9a

MR. ██████████ I don't think "Internal Use Only" has any standing as a security classification.

MR. REYNOLDS: All right, it will be classified "Confidential." ✓

Subparagraph a. under item 3 on the agenda is entitled "Separation Actions." Prior to starting on that I would like to inform you of the separations that have taken place in one phase of the Office of Personnel's activities on pure mediocrity - cases that were not brought before an Employment Review Board but were brought to us for different reasons, and we separated them. In January ✓

and February there were seven such people from all over the Agency, for mediocre performance, unsatisfactory conduct, extensive abuse of leave privileges--

MR. BAIRD: Were they actually separated, Harry?

MR. REYNOLDS: No, they resigned. They were resigned as a result of being told that they would be separated.

25X1A9a  
MR. [REDACTED]: They were technically "voluntary separations" - but they were induced voluntary separations.

MR. REYNOLDS: In March there were eight of these, for the same reasons - ranging from Wage Board 3's to an 11 and a 12, and, again, from all parts of the Agency. In April there were four, two 13's, an 11 and a 4. So that phase of separations goes on day after day, all the time.

25X1A9a  
MR. [REDACTED]: As a companion piece to that, there are about [REDACTED] cases of Type B and C applications for membership in the Career Staff that have been acted on by the Selection Board, all of which fall within the overall category of "mediocre."

25X9A2  
MR. KIRKPATRICK: What does that mean? We have taken in [REDACTED] into the Career Service, and we have turned down [REDACTED] Is that what that means, in effect? 25X9A2

25X1A9a  
MR. [REDACTED]: That is correct.

25X1A9a  
MR. [REDACTED]: What is B and C?

25X1A9a  
[REDACTED] B is deferred and C is denied. They are turned down for intent or performance or conduct, in terms of security consciousness, habitual indebtedness, financial irresponsibility with Government funds, interpersonal relations, and then a group including a number of other miscellaneous factors.

MR. KIRKPATRICK: That raises a very interesting problem as to whether we really feel that only 2% of the Agency--that is, in effect, 2%--are not qualified.

25X1A9a  
MR. [REDACTED]: You cannot draw that conclusion, I believe, Kirk, because the knotty cases are still to come. There are about [REDACTED] controversial cases - which is now the workload of the Selection Staff and the Panels and the Board. In other words, we have deliberately, in order to convey the greatest good to the greatest number, processed the uncomplicated cases in order that most people would have response of acceptance into the Career Staff in response to their applications.

25X9A2  
MR. KIRKPATRICK: How long have these [REDACTED] cases been pending?

25X1A9a  
MR. [REDACTED]: There are still many cases which we haven't heard from.



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We don't know whether the individual has applied or whether it is held up in the Career Service Board. I know of individual instances where a supervisor is holding it up and it hasn't gotten to his Career Board - and the tougher and more controversial it is, the more of a problem it is to make a decision and come to a conclusion.

25X9A2

MR. KIRKPATRICK: Of these [REDACTED] cases how many belong in the Agency?  
25X1A9a

MR. [REDACTED] The Selection Board says they are either unsuitable for membership in the Career Staff or there is enough information to make it impossible for the Selection Board to say that they are suitable. That is what a B case is - it is "deferred for additional information or evidence."

MR. KIRKPATRICK: You mean to say there are certain individuals who have been in the Agency three years that we don't know enough about yet to decide?

25X1A9a  
MR. [REDACTED] It's just like your supervisor's documentation of the case - each is a case where it cannot be documented, or cannot be documented to the satisfaction of the Selection Board that it is a clear case of mediocrity or a case of misassignment or a case of bad supervision.

MR. LLOYD: Some of those deferred cases are for working off a series of security violations, for instance. They're given a year and if they have no more violations within the year they are accepted.

MR. KIRKPATRICK: What I was driving at, Red, is whether you think these

25X9A2 [REDACTED] should be reviewed for possible termination? ✓

25X1A9a  
MR. [REDACTED] Personally I do. ✓

FOIAb3b [REDACTED] All the C's should. ✓

25X1A9a  
MR. [REDACTED] All the C's should. They are final determinations made as responsibly as the Selection Board can make them, that this person is unsuitable for membership in the Career Staff - in other words, he is unsuitable for a career in the Agency, and in every case the Selection Board has unanimously come to that conclusion. There are 38 of those. ✓

MR. KIRKPATRICK: What is the next step in terminating them?

25X1A9a  
MR. [REDACTED] I think that comes up under our "Separation Actions" on the agenda - which we haven't discussed yet.

MR. KIRKPATRICK: I thought we were discussing that right now.

25X1A9a  
MR. [REDACTED] We haven't gotten to it. The procedure probably now exists.

MR. REYNOLDS: Work on this was done when I was away, and I asked

25X1A9a [REDACTED] to be here today because he was very much involved in it with Red

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when it was going on. These are copies of a chart which will accompany the regulation ["Proposed Separation Procedure for Administrative Reasons"]. It's almost in process. Do you want to speak about it now, Charlie? ✓

25X1A9a

MR. [REDACTED] This relates only to separation of the mediocre or marginal employee. It does not relate to poor or unsatisfactory performance of duty or misconduct, or other reasons for which you would take separation action. We addressed ourselves to this as a means of devising a more flexible and faster procedure for the handling of these mediocre cases, such as would be presented for separation action. The main point here is that the Director does not need in every case to use his special authority to separate a person for mediocre performance. In brief, you would use the special authority where you had intelligence methods or sources to protect, and in those cases only where a person affected would have a right of appeal to the Civil Service Commission under the Veterans' Preference Act. ✓

MR. BAIRD: This is the Veterans' Preference Act on the left?

25X1A9a

MR. [REDACTED] Yes, sir - the ACT; it does not mean Civil Service status, because status as such has no relation as to whether or not you can appeal to the Commission. ✓

MR. BAIRD: Then to all intents and purposes this is most of your males.

25X1A9a

MR. [REDACTED] We have a great number of females, Matt, who are either veterans of the WAC's or WAVE's or who are widows of deceased servicemen. You see, the Veterans' Preference Act applies to those who have preference either by their own service or by the service of their husband. We don't have too many female veterans but there are enough that it needs to be considered.

MR. KIRKPATRICK: Now in your proposed procedure, Charlie, I see you have two hearings, in effect - 5 and 7.

25X1A9a

MR. [REDACTED] You have the possibility of two hearings. You would undoubtedly have a hearing at step 5, because normally an individual will ask for an internal hearing. Whether or not you have a hearing at point 7 would depend upon a review of the record by the Special Employment Review Board. They might very well want to question the individual further, or the supervisor further. However, at that point they would have before them a complete record. And as we envision this thing it would be largely a question of reviewing the record of the 3-man Advisory Committee which would be established at step 5. As [REDACTED] 25X1A9a knows, we have sat through hours and hours of these things on original hearings in Special Employment Review Boards. ✓

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FOIAb3b

[REDACTED] The employee always has a right to appear before the Employment Review Board if he desires.

25X1A9a

MR. [REDACTED] If you constitute the Employment Review Board as your point of original hearing, yes. Now we wouldn't necessarily put this precise chart in the regulation. This was more for explanation to General Cabell and to Colonel White what we were suggesting as a speed-up method of handling these cases, and not bottleneck into Special Employment Review Boards - because under this procedure you could have a dozen of these going at one time, if you had that many cases.

FOIAb3b

[REDACTED]: Has that proposal been approved that the Special Employment Review Board is a court rather than a hearing, and it reviews the lower court? ✓

25X1A9a  
MR. [REDACTED] Yes, sir - General Cabell accepted that principle.

MR. BAIRD: Harry, have you got the figures on how many cases have been initiated, how many have been terminated, and how many are still with us under this system?

MR. REYNOLDS: No, I haven't, Matt, because there have been a good many cases such as have been in the Office of Communications, where their own resignation action has taken place - not over and beyond anything we have done, and we get it only as an exit interview, where the man resigns for "personal reasons" which he does not care to discuss.

MR. BAIRD: I think the feeling is still prevalent that if a supervisor takes step No. 1, that months and months and months elapse and the individual still sits across the desk from him - and it may go against the supervisor anyhow - and the man is still there. So I just wonder-- ✓

MR. REYNOLDS: We haven't got it, and I think that is the reason that Red, as I understand it, and General Cabell, have asked us to bring this thing up and get it going - to expedite it. And we ourselves feel this will hurry up those cases.

25X1A9a  
MR. [REDACTED] Actually, Matt, there is no difference in steps 1, 2, 3, 4 and 5 - over what is now in the regulations. But, surprisingly, I can recall no case since we published 705 where we have had to go through any of these steps. Separations have been accomplished either by the supervisor laying it on the line to the man and saying, "Now look, these are the facts. I can't put up with this anymore, and I'm going to have to start action. Do you want me to do that?" In most instances if the supervisor is right - then he will get no protest out of the employee. ✓

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MR. REYNOLDS: There is a case here that is known to Von, in ORR - where that was exactly what took place; and also in our Office of Personnel, where a man was told, "This is it. You are either going before a Board or you can resign."

FOIAb3b

[REDACTED] There is another way to approach this, and that is where not the immediate supervisor but farther up the line - having the comments and so forth that this fellow is not doing all right, he says, "Now look - you've been here only a few years and you aren't going to get anywhere in CIA, so I would recommend you find yourself another job." Just a fatherly talk like that has convinced a number of people they weren't happy here and couldn't compete with their people at their own level, and that they were going to fall behind. If you would point that out to them--

MR. BAIRD: I think we have all had those cases and we have all had some success with them. But it's the 13's, 14's and 15's that we haven't had success with, that we're worried about. The young man, sure. But it's the 14's, age 45 to 55 that know they can't earn half the money they're earning here.

FOIAb3b

[REDACTED] We're just stuck if we pull them up to 12's, 13's or 14's when they have been mediocre all along.

MR. BAIRD: Mediocrity is very difficult to define.

FOIAb3b

[REDACTED] When you get up to be a 14 the burden of proof is on us that they are mediocre.

MR. KIRKPATRICK: I think that is what we should address ourselves to - because for security reasons, etc. - those we're not worried about.

MR. REYNOLDS: It's the other ones that are tough.

FOIAb3b

[REDACTED] We had one ERB that they promoted from 9 to 14 during the period of time they said he was no good. And for every step increase they said he was "satisfactory." So you had an awful time.

MR. BAIRD: If you want to get off on the subject of the step increases - he has to be unsatisfactory to stop his step increases. Now a mediocre employee isn't an unsatisfactory employee. We have cases that we go over every time we have a Career Service Board meeting - on the step increases, and we stop and hesitate and argue, and then our very able Personnel Officer says, "Well, look, if you deny him this you have to immediately prefer charges that he is unsatisfactory."

MR. KIRKPATRICK: Let's cope with that right now.

Charlie, can't we say that he is "unsatisfactory" from CIA's point of view?

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25X1A9a  
MR. [REDACTED] Yes, sir.

MR. KIRKPATRICK: Then why isn't that the answer?

25X1A9a  
MR. [REDACTED] You have to tell him why.

25X1A9a  
MR. [REDACTED] If I may add to that, Kirk - we don't have to go as far as preferring charges, Matt. We do, in justice to the man, though. If you are going to take away something he would otherwise be entitled to he is entitled to know wherein he fails. Under that circumstance you are under an obligation to put him on notice that he is unsatisfactory "for the following reasons" - which you would have. ✓

MR. KIRKPATRICK: Below CIA standards for the following reasons. ✓

MR. BAIRD: Below CIA standards for the grade, for the following reasons.

MR. KIRKPATRICK: Certainly. Because one of these cases I cited where they're trying to get rid of the individual, the office had the temerity to suggest to me we get him an in-grade promotion. How in the world do you expect to get rid of a man when you're going to pay him more money? I mean, this is CIA's money. It may come in a Government check, but this is part of the benevolence I wish this Agency would get out of. If we want to weed out mediocre employees we have to do it by CIA standards.

MR. REYNOLDS: There is already a court case which the Navy had on this thing and the judge threw the Navy out and said, "You haven't any right to get rid of this man. You have already said he was satisfactory."

MR. KIRKPATRICK: It seems to me if we say a man is unsatisfactory by CIA standards that stops everything - in-grade increases and everything else. That goes right here to point 1 and 2, it seems to me. Your chance of getting rid of anybody stands or falls on how well those two steps are taken. If the supervisor recommends termination and the case is sufficiently documented, and the Director of Personnel says it is adequate, then the rest of your steps are routine. ✓

25X1A9a  
MR. [REDACTED] But they have taken an awful long time in the past. What is there about this that speeds up the system that we have had? It is very discouraging to the supervisors.

25X1A9a  
MR. [REDACTED] The thing this speeds up on is that this does not require all mediocre cases to come to a Special Employment Review Board such as was established in September, 1954, by General Cabell. It provides for an immediate hearing on these things as soon as the supervisor has laid it on the line as to why this man does not measure up to the standards of his job.

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FOIAb3b

[REDACTED] I think the trouble is they don't take prompt action. You may have been on a Board with me when a man was sent back for cause from overseas and he got back, I think it was in September or October, and the case didn't hit our Board until March. There were no charges preferred at all. They had their own Board but didn't notify the man they had it, and all this time he was going ahead and doing his work and he thought his work was all right. I think they should have preferred charges before that fellow got back here. They had enough cause to.

MR. 25X1A9a [REDACTED] If the documentation had been here I believe they would have, but, if you recall, the office back here did not have the documentation that was necessary to fully support the case.

FOIAb3b

[REDACTED] They had enough.

MR. 25X1A9a [REDACTED] They had a fair amount.

FOIAb3b

[REDACTED] He had to be brought back under escort and he had a post-alcoholic convulsion in San Francisco--

MR. KIRKPATRICK: Why couldn't he have been terminated by the Director the moment he walked in the door?

MR. BAIRD: Well, they aren't.

MR. 25X1A9a [REDACTED] It's the supervisor's responsibility that they are.

MR. 25X1A9a [REDACTED] Wait a minute, Rud. Everybody messes around in the supervisor's responsibility about this thing. The Security Office, the Medical Office, and the lawyers are all in it - and the poor supervisor, age 29, somewhere down in the DD/P, has a fat chance of dealing with all those wheels and brass. How can he dispose of it? He can't!

MR. KIRKPATRICK: I think Dick's point is good from another reason - there are too many people involved in this with the individual. There ought to be one direct focal point which I think is right there [indicating Director of Personnel] handling these cases. And that is why I think I would modify your proposal, Charlie, by saying the supervisor advises the Director of Personnel that he plans to initiate charges and recommend termination - so that you [D/Pers] are in it right from the start. ✓

MR. 25X1A9a [REDACTED] That was our intent, Kirk.

25X1A9a

MR. KIRKPATRICK: It seems to me a case like [REDACTED] is talking about - of a man brought back from overseas in an alcoholic stupor, the Director of Personnel should get hold of the supervisor and say, "We can tie it on to this

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guy the day he steps off the plane." And that you could take to any court or Congress or anything else - that firing of an alcoholic from this Agency.

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MR. [REDACTED] You could, Kirk, in that sort of a case if you want to disregard and not consider any other facet that is present in this man's performance. Now I think it's only fair to point out, General, that this man has had a total of 26 years' Federal service. He has been commended by the DCI for his excellent performance on a special project to which he had been assigned, and he had done excellent work in the particular office. Now the Board went into those things carefully and weighed those in the recommendation that it made to the Director. But I think without considerable review of both sides of the thing you very well may have a miscarriage of justice by taking precipitous action there without full possession of the facts.

MR. KIRKPATRICK: There is no question your points are valid, Charlie, but it seems to me the point that Von raises, and Matt, is the passage of time. And I just think that maybe one of the things we can accomplish by this discussion today is to see if we can't streamline and concentrate this effort.

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MR. [REDACTED] That is the answer, Kirk, in my opinion. What is involved in any of these cases? We are constantly talking about boards, which means senior people who sit down and scratch their heads about these things. What is wrong about the senior man in the Office of Personnel getting a recommendation from the supervisor and sitting down and reviewing the case and seeing if there is a case and equating the pluses and the minuses, and so forth, and if he does not come out with a clear position - solicit advice someplace. But I don't see why you have to convene some board.

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MR. [REDACTED] That is not necessary, Dick, and in practice what you describe is about what happens. The delay that occurs is in the transmittal of the paper to the Director of Personnel so that he can start the wheels moving. Because from our standpoint it will take us very little time to decide which way the separation should go - should we head it at the beginning for the Director's separation authority, or should we head it for the normal authority that is inherent in Public Law 110. The Director has the authority to appoint and to separate under normal procedures. It won't take us but a very short time to come to a conclusion with you on that. Then it is simply a matter of preferring the charges and giving the man his day in court.

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[REDACTED] I think the one time you need this type of Board is where the individual is going to fight it, and it's a marginal case and it really

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needs a thorough hearing. That is what I thought the Special Board was going to do - where everything else had failed. Then the man has a lot on his side. Just for goodwill sake he was entitled to a hearing by senior officers - and not the way we have been doing it, where we have a very large transcript and weeks of fiddling with it, and usually those cases didn't hit the Board for months after the determination had been made by the head of the component that he wanted to get rid of the man.

MR. REYNOLDS: The actual action of the Disposition Board - as an example of how quickly it can work - when Medical, Personnel and Security meet and decide it's any one of the three jobs, it's a matter of a few days before the decision is to separate. And it can be done. We know that.

MR. BAIRD: Is there anything in the regulation which prevents a GS-18 who is head of a component, and just for the sake of argument say the Office of Communications - from coming to you and saying, "I have carefully looked into this case. I know the man and I have confidence in the successive supervisors under whom he has served, and I think he should be separated. Here are the reasons." That is the reason he is a GS-18, because the Director has confidence in his ability to handle his own shop. If he tells you that why isn't that enough? ✓

MR. REYNOLDS: We refer it to the Director over his signature recommending immediate action, and the Director will okay and concur in it. It's just a question of putting it on paper.

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MR. [REDACTED] I must say that one of the problems in any of these things is the problem of communication - in an Agency like this. Let's face it. It's a practical matter - it isn't a matter of theory. You have a fellow, we will say, that is at the branch chief level in any of the components, and he has a lot of trouble with this joker for one reason or another, and he thinks it's time something was done about this. All right. Where does that fellow go to get advice on how to proceed sensibly? It's fine to say it's in the regulations, but you have to be a lawyer to read those things. What individual can that fellow put on his hat and go see, and get a sympathetic hearing, and say, "All right, here are the elements. Here are the steps you go through to make it so." Where does he go? ✓

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MR. [REDACTED] In your case, Dick, we have put Personnel Officers in every one of your senior staffs, and in every one of your divisions, and they are thoroughly aware of these procedures that exist now. So in your case that would be the point. In [REDACTED] case - he has a Personnel Officer who is

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thoroughly aware of the procedures. And Matt, the same thing.

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MR. [REDACTED] I'll bet if you sat all those personnel officers down in one room, no two of them would agree as to how you proceed in any case.

MR. REYNOLDS: I don't think that is so.  
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MR. [REDACTED]: I'll take you on.

MR. BAIRD: I'll say this, when we do go to a Personnel Officer--and this is not meant in an unkind way - maybe it's true of Personnel Officers as a whole, maybe it's natural for them to react to the support of the individual, and maybe they are Personnel Officers because they espouse the cause of the downtrodden-- but the supervisor is likely to come back and say, "Oh, to hell with it. If I have to go through all that I'll just sit with him for another four or five months and wait and see."

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[REDACTED] I think the difficulty here is with the word "mediocrity." What is the definition for "mediocrity"? I have people who come to me and say, "This man does what he is told to do, but that is all he will do." In any organization there is a top third, a great middle third, and the "bums" on the bottom - and they are always going to be there, but the "bums" on the bottom may be mediocre or just about as good as the ones above them.

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MR. [REDACTED] It reminds me of 1947 when a fellow came in and said the trouble with our organization was that it was too mediocre, that we need to have six or seven Allen Dulleses around here. If you use that definition as a starting point--

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MR. [REDACTED] There is a real point in what you say, [REDACTED] The dictionary says that mediocre means "of moderate excellence." The word "mediocre" is misleading. Some poor joker tries to find out what is "mediocre" and he goes to the dictionary and finds that definition. "Mediocre" should not be used in this connection.

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[REDACTED] I have some old chief petty officers from the Navy and they have gone as high as they are ever going to go, but I don't call them "mediocre."

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MR. [REDACTED] Hell no! You need a lot of those people.

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MR. [REDACTED] They are "of moderate excellence" - and that means middle.

I think "mediocre" is the wrong word to use. That is part of our problem - you can't define "mediocre."

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[REDACTED] I have a man brought back from overseas because he

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was more than three times, and still is, mixed up with an [REDACTED] girl - and he signed a statement and I said, "Okay, you resign or I'll prefer charges."

MR. REYNOLDS: This was a word dug up by General Cabell to describe what he felt was poor performance, which was "performance below CIA standards."

MR. KIRKPATRICK: Why don't we call it "CIA standard of performance" and then define exactly what is meant.

MR. REYNOLDS: The definition in our ERB paper is pretty good.

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MR. [REDACTED] As part of this exercise we have now been asked, in accordance with your recommendation, Kirk--which General Cabell approved--to define mediocrity, or, if you want to use the other term, "marginal" - but we will define what class it is we are talking about here in Regulation 705. ✓

MR. KIRKPATRICK: My point is you use two words there, both of which have basic definitions. As Rud points out, if we eliminate the "mediocre" we would eliminate everybody but the paragons; and if we eliminate the "marginal" we do the same thing, in effect. So why can't we work out something that talks about a "CIA standard of performance" and not use words like "marginal" or "mediocre" - because I think they confuse the supervisors as well as everybody else. ✓

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MR. [REDACTED] How many of these so-called "sub-CIA standard personnel" are ever sent over to the Assessment Staff to find out what is the matter with them?

MR. KIRKPATRICK: Quite a few. As many as Assessment can handle, I guess.

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MR. [REDACTED] It used to be part of the procedure sometime ago.

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MR. [REDACTED] Because if all else is equal and the fellow's performance is substandard, there is something lacking. Either he hasn't the brains or the energy, or he's all mixed up emotionally.

MR. REYNOLDS: There is also the terribly complicated situation that he is a perfectly fine grade 9 but he is a stinking grade 11, and that has to enter into it somewhere - because, like the chief petty officers in the Office of Communications, they are fine for what they are but if you get them up to a division chief - no.

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MR. [REDACTED] Those are the most complicated cases.

MR. KIRKPATRICK: That is the majority of our cases right now. People have gone up too fast, and now the wonderful old days when all the promotions were available and the slots were available - are over. Now we find they're way overgraded and way overpaid.

MR. LLOYD: And they're hanging on for dear life.

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MR. [REDACTED] I will point out to you, Kirk, we avoided the use of the term "mediocrity" in this paper, and instead tried to use terms that more nearly reflected what we wanted - people who did not measure up to a satisfactory job performance, and that sort of thing - instead of getting into the hassle of trying to define--

MR. KIRKPATRICK: And that will strengthen the Director's hand, too, in the terminations for the National interest, because you get away from the Civil Service jargon.

MR. REYNOLDS: In connection with this very discussion I'd like to turn to item c. on the agenda and report to you a plan which is just being formulated in the Office of Personnel to try to catch what might be called "mediocrity" - marginal or substandard, or whatever you want to call it. The Personnel Assignment Division each week will take the Fitness Reports that come in and will take the absolutely top ones and separate those for such uses as may be necessary by honor awards or incentive awards, and then the very, very low ones check them out to see just where we stand as far as low performance is concerned. And you will notice that in the new Fitness Report we have good clauses to work with to get this information.

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MR. [REDACTED] Pretty good idea.

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MR. [REDACTED] This comes out of the Panel of Examiners of the Selection Board, where in reviewing these we find Fitness Reports with box 1 marked, which says "incompetent" - if these are caught as they come in and immediate action of an investigative nature is taken. In other words, just because the supervisor says this, doesn't make it so. But this does sharpen up and focus the activities of the Office of Personnel and the Placement Officers to find out what should be done, whether the guy should be transferred, disciplined, downgraded, or what have you.

There are two things which are extremely important in this connection: One is General Cabell's direction that there be no adjectival or numerical rating applied. I believe before this procedure becomes effective we ought to be sure that this is not objectionable to General Cabell, in view of the fact he wrote this in with his own hand when we devised the Fitness Report.

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MR. [REDACTED] I think the exercise is a good one but you ought to change the two words that you have chosen.

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MR. [REDACTED] This has come up very fast, Dick, and it's in its very beginning. Any suggestion that anybody can make--

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MR. [REDACTED] Why not tie this into what we have been talking about. Have Category 1: Meets CIA standard of performance; and, Category 2: Does not meet CIA standards.

MR. REYNOLDS: Well, category 1 is "superior" and there is a vast number in between.

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MR. [REDACTED] The reason we are doing section one is to take off the onus of being only critical and destructive; in other words, we are doing both ends of the curve--the few who are outstandingly superior and those outstandingly inferior--and we're trying to match it out and show the process is for the reward of the outstandingly superior and proper action for the outstandingly inferior.

The second point, which is really vastly important, is that if the mechanism by which this watchlist is devised leaks out, you will have destroyed the validity of your Fitness Report, because then your supervisors and everybody else will figure out a way to beat it.

MR. REYNOLDS: I would doubt that very much.

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MR. [REDACTED] This is the best advice of [REDACTED]. I went over this with him and we spent a whole afternoon on it. He feels extremely strongly about this.

MR. REYNOLDS: Well, it's going to get out.

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MR. [REDACTED] The existence of the list is not bad, but knowledge of the mechanism by which you devise the list - if that got out it would be bad.

MR. KIRKPATRICK: We have harangued around here for a number of years about Fitness Reports being honestly done. It seems to me we're getting it pretty well across now to the supervisors that they're going to be held personally accountable for their Fitness Reports, and I think if I were a supervisor I would think more than twice before I put somebody in category 1 just because the Office of Personnel was running a checklist on it, because maybe he got in category 1 and they put him on the firing line and it fell flat on its face - well, I would be accountable for that. As a matter of fact, I think it might be a good thing to have known. I wouldn't advertise it but I wouldn't see any harm in letting it be known.

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25X1A9a MR. [REDACTED] I share your views exactly and do not agree with Dr.

[REDACTED] but in fairness to him I should point out how he feels about it. I think a supervisor who checks box 1 for an individual must expect it is going to be reviewed by somebody. Personally I agree with you that this would not damage the Fitness Report, but the experts say it will.

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MR. KIRKPATRICK: The psychologists want to take us apart and put us on the table but they don't want anybody to know they're doing it. What is going to happen after you do it? What are you going to do with the section 2's that come up with "inferior"? I think those periodically should be referred to some review board.

MR. <sup>25X1A9a</sup> [REDACTED] This is a watchlist or an alert so we have a double check as to this smouldering, festering kind of inferiority which you can't get your hands on.

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[REDACTED] Why bother with the "superiors"? They're going to go ahead anyway. ✓

MR. <sup>25X1A9a</sup> [REDACTED] This is to balance the destructive action - to make a constructive balance to it. It would save time to eliminate the superior--

MR. KIRKPATRICK: There is one point of philosophy I would like to enunciate on for a few minutes. I don't think it's destructive to get rid of sub-standard employees, because your standard, dedicated employees are carrying the weight for your low ones - so I don't think you're affecting morale to get the Agency sharpened up. ✓

MR. <sup>25X1A9a</sup> [REDACTED] Kirk, once again, if I may say so - I proposed this be done just for the inferior, and <sup>25X1A9a</sup> [REDACTED] said you have to match it up otherwise you're going to damage morale. Therefore, because I am working cooperatively with him, I am putting in his request. But I personally don't believe it will damage morale.

MR. <sup>25X1A9a</sup> [REDACTED] Why don't we absolve you of that responsibility right here and now.

MR. REYNOLDS: This is just in its initial phase so I think we had better report the details to you at a later date.

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[REDACTED] One thing that was done in the Air Force--and this may have been after you left [indicating Mr. Reynolds]--when they got enough documentation on an officer then they put a flag on his file and at a particular time that file was reviewed and he had to come before somebody and show cause why he should not be separated. They didn't bother with the "superior" people. The Selection Board can always pick those fellows. So I think that is a useless exercise, for the "superior" people, unless you're going to advertise the thing - then it would balance.

MR. BAIRD: There's another reason for it being in there. We have to do

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something to identify the JCD - Junior Career Development, and this is a means of identifying the GS-9 or 11 who has not been identified by his office. That is one of the reasons for putting it in there.

MR. KIRKPATRICK: It seems to me if he came up with a superior rating in his office they would have identified him pretty well.

MR. BAIRD: But they don't propose him.

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MR. [REDACTED]: They identify him but then they hoard him because he is good.

MR. REYNOLDS: I repeat, again, I think we had better submit this to you again, with more positive details, for final approval - and you can then decide whether or not you want to have the "superior" ones included. There is no doubt that the exercise on the "inferior" ones would be a good exercise. ✓

MR. KIRKPATRICK: My conclusions from today's discussion are basically this: that we have all the mechanics in the Agency pretty well worked out for eliminating employees below CIA standards, but I still think there is a lot we can do in the way of education, and to streamline and perhaps simplify our mechanics. I think when we accomplish that then this morale factor, with the supervisors saying "the reason I don't throw the book at the guy is because I'm afraid it may bounce back" - will be overcome. I think we have the mechanics but I do think there are methods by which we can simplify it.

Dick's point is awfully good: Who does a branch chief go to, or a division chief go to, once he has established in his command channel that he has support that somebody is below standard? Who does he go to? Your answer was the Personnel Officer in each division. I don't know yet whether that is right, but I would think if the action is going to be directed toward termination perhaps we ought to direct those particular supervisors to a higher level, perhaps your level [D/Pers] in Personnel, or someplace over there, so we can really get the impact, and then set up the procedure whereby we will run these things on a tickler basis - like I run my cases: I submit a monthly report to the Director, and I get nervous when I see a case has been open five or six months. It's a good method to keep yourself active to get the cases closed. ✓

MR. REYNOLDS: Gentlemen, we have covered the agenda pretty thoroughly. Is there any further business? If not, this meeting stands adjourned. ✓

. . . The meeting adjourned at 5:05 p.m. . . .

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